

# **EXHIBIT 3**



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: May 30, 2019.**

  
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**TONY M. DAVIS**  
**UNITED STATES BANKRUPTCY JUDGE**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:**

**FPMC AUSTIN REALTY  
PARTNERS, LP,**

**DEBTOR.**

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**CASE NO. 16-10020-TMD**

**CHAPTER 11**

**ORDER RULING AND ABATING IN PART SHOW CAUSE PROCEEDING**

On November 19, 2018, the Court entered its order [ECF 377] granting a motion [ECF 311] filed by Howard Marc Spector, as Receiver of Neal Richards Group Austin Development, LLC, for an order to show cause why glendonTodd Capital, LLC and Todd Furniss should not be held in contempt and sanctioned. Various hearings on the motion were held and the Court took the matter under advisement. After review of the briefing provided by the parties, the testimony and exhibits at the evidentiary hearing on October 3, 2018<sup>1</sup> and the Substantial Contribution hearing

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<sup>1</sup> Mtn. for Order to Show Cause Hearing, Transcript, ECF 375.

on September 22, 2016<sup>2</sup>, the Confirmed Plan<sup>3</sup>, the Confirmation Order<sup>4</sup>, the related state court ruling<sup>5</sup>, but not including certain additional evidence provided by the Receiver, the Court announced its oral ruling on May 30, 2019. In accordance with that ruling:

IT IS THEREFORE ORDERED that Mr. Furniss should not be sanctioned or held in contempt for his testimony at the September 22, 2016 hearing, or for any of the other statements, proffers or declarations complained of by the Receiver.

IS FURTHER ORDERED that that portion of the Order Granting Motion to Show Cause contemplating the imposition of a penalty is VACATED.

IT IS FURTHER ORDERED that ruling on the transfers totaling \$2,785,000 will be ABATED until a determination on the issue has been made by a final state court order.

IT IS FURTHER ORDERED that GTC and Mr. Furniss will pay the Receiver \$115,000 on or before September 21, 2019 unless the awards made by the state court, \$1,150,000 and attorney fees, are paid before that date.

IT IS FURTHER ORDERED that the award will increase by \$115,000 every four months until the state court awards are paid.

IT IS FURTHER ORDERED that the Receiver should be awarded attorney fees and costs in accordance with the Court's oral ruling. The Receiver shall have until June 14, 2019 to file an application for such fees or costs if he chooses to do so. If he does, GTC or Mr. Furniss shall have until June 28, 2019, to object to the reasonableness of the fees and costs so sought.

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<sup>2</sup> Subs. Contr. Hearing, Transcript, ECF 244.

<sup>3</sup> Amended Chapter 11 Plan, ECF 260.

<sup>4</sup> Order Confirming Chapter 11 Plan, ECF 280.

<sup>5</sup> Notice of Orders Entered in State Court Proceeding, ECF 406.